

REMARKS

Claims 1-8 and 11-20 were pending in this application when the present Office Action was mailed (October 26, 2007). In this response, claims 1, 5, 6, 8, and 11 have been amended to correct minor format issues. The applicants respectfully request that these amendments be entered. No claims have been added or canceled. Accordingly, claims 1-8 and 11-20 are currently pending.

Claims 1-8 and 11-20 were rejected under 35 U.S.C. § 103 over the combination of U.S. Patent No. 5,867,230 to Wang et al. ("Wang") and U.S. Patent No. 6,681,255 to Cooper et al. ("Cooper"). The applicants respectfully traverse this rejection.


The undersigned attorney wishes to thank the Examiner for engaging in a telephone interview on February 6, 2008. During the telephone interview, the claimed subject matter and the teachings of Wang and Cooper were discussed. The Examiner agreed that the combination of Wang and Cooper does not support a Section 103 rejection of the pending claims. The following remarks summarize and expand upon the points discussed during the February 6 telephone interview. Accordingly, the applicants respectfully request that this paper constitute the applicants' interview summary. If the Examiner notices any deficiencies in this regard, the Examiner is encouraged to contact the undersigned attorney.

As discussed during the February 6 telephone interview, the combination of Wang and Cooper does not support a Section 103 rejection of the pending claims at least because the combined teachings of Wang and Cooper fail to teach or suggest several features of the pending claims. For example, neither Wang nor Cooper teach or suggest the combination of "computing a wait time (t_w)" based on packet size and target bandwidth and "controlling the transmission of the packets so that there is a residual time (t) between the ending time of transmission of one packet and the starting time of transmission of the next packet to establish the wait time (t_w)" of claim 1. Instead, Wang discloses a system

for encoding a video file at a target bitrate and packetizing the encoded video. Wang's system controls the quality of video compression, e.g., by controlling the quantization level or by dropping certain video frames, to achieve the target bitrate. (Wang at colume 4, lines 33-57). After a frame is compressed, Wang teaches packetizing the encoded data into one or more packets and applying a timestamp to each packet. (Wang at Fig. 5A). Wang's timestamps, however, are set to ensure the prompt reception of the encoded video, and "[a]ll packets . . . are sent in order, but some packets may be sent sooner than needed." (Wang at colume 7, lines 30-32). Therefore, according to Wang, a packet may be transmitted earlier than the time indicated by a corresponding timestamp. As a result, assuming that Wang's video packets corresponding at least in part to the packets of claim 1, Wang does not disclose or suggest "controlling the transmission of the packets . . . to establish the wait time (t_w)," and "the wait time is calculated based on packet size and target bandwidth." Cooper fails to cure the deficiencies of Wang. As a result, the Section 103 rejection of claims 1-8 and 11-20 should be withdrawn.

In view of the foregoing, the pending claims comply with the requirements of 35 U.S.C. § 112 and are patentable over the applied art. The applicants accordingly request reconsideration of the application and a Notice of Allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to contact the undersigned representative at (206) 359-6038.

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